



PUBLIC NOTICE

Federal Communications Commission
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Released: June 4, 2012

WIRELINE COMPETITION BUREAU SEEKS COMMENT ON NECA PETITION FOR TEMPORARY EXPEDITED WAIVER OF INTERSTATE ACCESS RECOVERY CHARGE RULES

**CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135, 10-90;
WT Docket No. 10-208**

COMMENTS DUE: June 8, 2012

REPLY COMMENTS DUE: June 11, 2012

On June 1, 2012, the National Exchange Carrier Association, Inc., (NECA) filed a petition¹ seeking a temporary expedited waiver of the Commission's "rules and related orders governing the calculation of Interstate Access Recovery Charge (ARC) rates and reporting of initial estimated Eligible Recovery amounts."² Specifically, NECA seeks a waiver of section 51.909(b)(2)(ii) of the Commission's rules³ for purposes of calculating ARCs under section 51.917(e) of the Commission's rules⁴ and for reporting initial estimated Eligible Recovery amounts for NECA pool members to the Universal Service Administrative Company.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on NECA's petition on or before the date indicated above. All pleadings are to reference **CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135, 10-90; WT Docket No. 10-208**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).⁵ Two copies must be delivered to Belinda Nixon, Federal Communications Commission, Wireline Competition Bureau, Pricing Policy Division, 445 12th Street, SW, Room 5-A232, Washington, DC 20554, or via e-mail at belinda.nixon@fcc.gov, and one copy to Richard A. Askoff, National Exchange Carrier Association at raskoff@neca.org, 80 South Jefferson Road, Whippany, NJ 07981.

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

¹ See Petition for Expedited Waiver filed by National Exchange Carrier Association, Inc., WC Docket Nos. 05-337, 10-90; WCB/Pricing File No. 12-08, at 1 (filed June 1, 2012) (Petition).

² Petition at 1.

³ 47 C.F.R. § 51.909(b)(2)(ii).

⁴ 47 C.F.R. § 51.917(e).

⁵ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

This Public Notice establishes certain procedural requirements relating to consideration of the NECA Petition. This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁶ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information regarding this proceeding, contact Belinda Nixon, Pricing Policy Division, Wireline Competition Bureau, (202) 418-1520, or via e-mail at belinda.nixon@fcc.gov.

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⁶ 47 C.F.R. §§ 1.1200, *et seq.*